



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding. Meeting was conducted in the Council Chamber; via teleconference with audio stream by LTC; and Zoom due to Covid-19 pandemic.

C. Mercier requested moment of silence in darkened chamber for Irene Psinos Demoulas. C. Elliott requested moment of silence in darkened chamber for Fallon Boyle.

M. Leahy recognized Dors Musgray as Veteran of the Month and Mr. Musgray addressed the body. M. Leahy recognized Steve Geary on his appointment as a justice at the Lowell District Court.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation.

In City Council, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Drinkwater. So voted.

2.2. Recognition - Lowell Shopping Network.

In City Council, **Motion** "To accept and place on file" by C. Conway, seconded by C. Mercier. So voted. Christine McCall (DPD) commented on the recent program.

3. CITY CLERK

3.1. Minutes Of Finance SC Jointly With School Committee Finance SC October 27th; City Council Regular Meeting October 27th; City Council Meeting (Executive Session) November 2nd, For Acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Mercier. So voted.



4. GENERAL PUBLIC HEARINGS

4.1. Ordinance - Amend Zoning.

In City Council, Given 2nd Reading, hearing opened. **Motion** to continue matter to December 8, 2020 at 7 PM by C. Samaras, seconded by C. Mercier. So voted. C. Mercier noted approval of continuance so that all parties may benefit.

4.2. Order-Abandon Portion Of Warren St And Portion Hurd St.

In City Council, Given 2nd Reading, hearing held. Adam Goldstein (Affirmative Investments – project manager) spoke in favor of the petition. No Remonstrants. **Motion** to refer matter to Clerk's Office for 7 days by C. Mercier, seconded by C. Samaras. So voted.

4.3. Ordinance- Rental Property Manager Posting.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Elliott, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Nuon, seconded by C. Rourke. So voted.

A) Motion Response - COVID-19 Second Wave Preparedness – C. Chau noted the need to be prepared and that prior experience with help future actions. Manager Donoghue noted the need to prepare health care system and that the City is prepared to handle any increase strains on the system. Manager Donoghue commented on increased success concerning nursing homes and testing sites. C. Nuon noted the need to stop spread and additional free testing sites should be made available. C. Rourke noted that schools are not an area of potential spreading and there should still be extreme effort to get children back into the schools. M. Leahy noted the constraints facing the school system and that they are working on matter but would not have any success until after holidays. Manager Donoghue noted that the City is working with schools to ensure buildings are ready for occupation. C. Conway noted that the State supplies the test kits and the City implements the program. Manager Donoghue stated that the State is not providing free test kits at this time. C. Drinkwater noted the value in having testing sites and commented on possible pool testing programs. Manager Donoghue commented on increase in number of cases. C. Samaras noted efforts of City and University during the pandemic.

B) Motion Response - Downtown Business Coordinator – C. Nuon requested updates regarding the position. Manager Donoghue noted that the department is covering the responsibilities of the coordinator.



C) Motion Response - Affordable Housing Trust Fund – Motion to refer to Housing SC by C. Nuon, seconded by C. Drinkwater. So voted.

D) Motion Response - Permanent Home for the Adie Therapeutic Day School – M. Leahy noted a location has not been identified and that costs would be high to secure site. Ms. McCall noted discussions with parties and that there would need to be additional communication between the groups. **Motion** by C. Mercier, seconded by C. Elliott to refer matter to Finance SC joint with School Finance SC. So voted.

E) Motion Response - Upgrading Intersection of Wedge, Campbell and Lura Streets – C. Chau noted need to continue investigating ways to slow traffic in the area.

F) Motion Response - Pothole Technology – M. Leahy noted machine should still be on the radar as it is very efficient.

Motion by C. Mercier, seconded by C. Rourke to suspend rules to discuss 75 Arcand Drive. So voted. C. Mercier requested assistance for business leaving that site for permitting at new locations. Manager Donoghue updated Council on that matter and noted it was resolved.

5.2. Informational Reports

G) Informational - Winter Paving Moratorium – Manager Donoghue noted need for plowing contractors and that rates have been increased for them. Christine Clancy (DPW) commented on paving moratorium beginning in December noting only openings for emergencies and City needs. C. Elliott questioned the insurance requirements for plow contractors. Ms. Clancy noted the increase in rates and stated that insurance requirements are standard among all surrounding communities. C. Elliott noted that City should be protected.

H) Informational - Diversity and Inclusion Fund – Conor Baldwin (CFO) commented on the recommendations of the finance department regarding use of donations. Mr. Baldwin noted a special stabilization fund should be established for the purpose and the Council would control expenditures from that account. Motion by C. Elliott, seconded by C. Mercier to establish special stabilization fund regarding diversity and inclusion programs as recommended by the City finance department. Adopted per Roll Call vote 9 yeas. So voted. Mr. Baldwin discussed manner in which information is put on tax bills.

I) Informational - Diversity, Equity and Inclusion Initiatives – Manager Donoghue noted the ordinances that have been adopted and the efforts to find members to be part of the commission. Manager commented on human resource audit and the process involved to conduct that. Manager Donoghue note the creation of diversity fund and the scope of the fund. Manager Donoghue noted affirmative actions of the Council regarding these programs as well as the many programs with City employees. C. Samaras noted the importance of getting the information and requests to the public. **Motion** by C. Samaras, seconded by C. Conway to have City Manager respond to recent DEI letter outlining many efforts regarding diversity, equity and inclusion



initiatives. C. Elliott noted DEI letter was not factual and there were many false allegations and noted the number efforts put forward by the City.

5.3. Communication - Planning Board Recommendation On Proposed Zoning Amendment To Rezone The Parcel At Rivers Edge Road From TTF To SMF Zoning District.

In City Council, **Motion** "To accept and place on file" by C. Nuon, seconded by C. Chau. So voted.

5.4. Appointments To Community Preservation Committee.

In City Council, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Nuon. So voted. C. Rourke commented on make-up of the committee. Manager Donoghue noted the appointments and statutory requirements.

Motion to bundle and waive full reading Items #6.1 to Item #6.5 inclusive by C. Rourke, seconded by C. Nuon. So voted.

6. VOTES FROM THE CITY MANAGER

6.1. Vote-Accept.Expend 76,775 Grant FY20 Reduce Injury And Death And Missing-Developmental Disabilities.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

6.2. Vote-Auth CM Execute Lease Agreement With Mill City Grows- 72.1 Fowler Rd.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

6.3. Vote-Auth Mgr Execute Temp Work Space And Easement Amendment Agreement With Boston Gas Co.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

6.4. Vote- Auth Mgr Execute Underground Electric Easement-179 Bridge St.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.



6.5. Vote-Transfer Cemetery.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

7. REPORTS (SUB/COMMITTEE, IF ANY)

7.1. Wire Insp. - TC Systems, Inc. (AT&T) - Request Installation Of Two (2) Telecommunication Conduits At Intersection Of University Avenue And Pawtucket Street.

In City Council, **Motion** to adopt and accept accompanying order by C. Elliott, seconded by C. Nuon. So voted.

8. PETITIONS

8.1. National Grid - Request Installation Of 60 Feet Of 2 Inch Gas Main To Service 39 Campbell Drive.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on November 24, 2020 at 7PM by C. Conway, seconded by C. Chau. So voted.

8.2. National Grid - Request Installation Of 50 Feet Of 2 Inch Gas Main To Service 106 Gilmore Street.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on November 24, 2020 at 7PM by C. Conway, seconded by C. Chau. So voted.

8.3. National Grid - Request Installation Of Underground Electric Conduit On Appleton Street For Service At 193 Appleton Street.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on November 24, 2020 at 7PM by C. Drinkwater, seconded by C. Samaras. So voted.

9. CITY COUNCIL - MOTIONS

9.1. C. Conway - Req. City Council Adopt Attached Resolution In Support Of The Lowell Police Department And Forward Same To State Delegation.

In City Council, seconded by C. Samaras, read. **Motion** to adopt. Adopted per Roll Call vote 9 yeas. So voted. So voted. Registered speaker, Eileen Morrison, addressed the body regarding this matter and Item #9.2. C. Conway commented on his thought process regarding the resolution and support of the police by providing examples of police action and the recognition of the Lowell Police Department. C. Conway noted that certain protections should not be taken from the department. C. Samaras commented on the national recognition of the force as well as the DARE program and many other examples of police contributing to the community. C. Samaras noted now is the time the police need support. C. Mercier supported the resolution and that our police locally are top notch and that the police should be defended not defunded. C.



Drinkwater appreciated work of the LPD and noted struggles with resolution based on some language it contains. C. Drinkwater noted the amount of work being done at the State level and that he did not want to undercut that. C. Drinkwater noted collective bargaining and civil service are protected and commented that qualified immunity is a more complex issue. C. Chau noted his support of the LPD and that the Council is elected to do what is best for the local community. C. Nuon noted State wide reform in progress as needed but the LPD is sensitive to change as indicated by the advisory committee. C. Rourke noted support should be easy in this matter as LPD addresses many issue. C. Elliott noted support and LPD interaction with citizens as being open and fair. C. Elliott noted police have many challenges and they need community support and commented on the efforts of Supt. Richardson. M. Leahy commented on progress of the LPD and efforts of current and prior superintendents.

9.2. C. Drinkwater - Req. City Mgr. Direct The Law Department To Report On The City's Policy For Indemnifying Employees From Personal Financial Liability For Damages Resulting From A Lawsuit Against A City Employee For Conduct That Occurred During Their Official Course Of Duty; Said Report Should Also Include Recommendations On Any Necessary Changes To Ensure Law Enforcement Officers Are Indemnified From Personal Financial Liability For Civil Damages In Anticipation Of Changes To The State Law Regarding Qualified Immunity.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Drinkwater noted the concern of indemnification of public employees commenting on the reforms being reviewed at the State level. C. Drinkwater noted the City must be informed on any changes so that they could adapt at a local level.

9.3. C. Nuon - Req. City Mgr. Have Proper Department Replace Missing Traffic Mirrors At The Railroad Bridge On Lawrence Street.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Nuon noted safety concerns with no mirrors.

9.4. C. Chau - Req. Public Safety SC Have Discussion With Lowell Police Department Regarding Current Crime Statistics In The City.

In City Council, seconded by C. Mercier, referred to Public Safety SC. So voted. C. Chau noted best discussion would be at subcommittee level.

9.5. C. Rourke - Req. Lowell License Commission Consider A One-Time Reduction In Restaurant License Renewal Fees For 2021 Due To The Impact Of Covid-19 And To Approve Any Such Reduction Base Upon The Licensing Commission's Discretion.

In City Council, seconded by C. Nuon, referred to City Manager/Law Department. So voted. C. Rourke noted the need to assist with business facing financial difficulties. Manager Donoghue commented on small business grants as a means of assistance as well. C. Mercier questioned application process for the grants and that there are some



hurdles with them. C. Nuon stated there is outreach in the community to assist with the grant process.

10. ANNOUNCEMENTS

In City Council, Manager Donoghue noted upcoming Flu Clinic for people over 60 as well the mitigation of odor from Duck Island. C. Mercier noted open house of the Bridge Club facility.

11. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Rourke, seconded by C. Samaras. So voted.

Meeting adjourned at 8:50 PM.

Michael Q. Geary, City Clerk